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PART I—Section 1

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MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi-2, dated the 23rd October, 1956

No. 18/18/56-Pub.II(A).—In exercise of the powers conferred by section 7 of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 (63 of 1956), the Central Government hereby makes the following rules, namely:—

1. These rules may be called the Existing States (Scheduled Castes and Scheduled Tribes) (Determination of Population) Rules, 1956.

2. In these rules, unless the context otherwise requires:—

- (a) "existing State" means each of the States of Assam, Orissa, Uttar Pradesh, Delhi, Himachal Pradesh, Manipur and Tripura;
- (b) "former Order" means the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Part C States) Order, 1951, the Constitution (Scheduled Tribes) Order, 1950, or the Constitution (Scheduled Tribes) (Part C States) Order, 1951, as in force immediately before the commencement of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956;
- (c) "latest census figures" means the census figures pertaining to the population of the Scheduled Castes or the Scheduled Tribes specified in the relevant former Order in an existing State, as ascertained at the last census and corrected thereafter in accordance with law;
- (d) "modified Order" means the relevant former Order as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956.

3. The population figures as at the last census of the Scheduled Castes or, as the case may be, of the Scheduled Tribes in each existing State (including in relation to Assam, the population figures of the Scheduled Tribes in that State excluding the tribal areas, and the population figures in each autonomous district thereof) shall be ascertained or estimated by the census authority in the manner hereinafter specified.

4. (1) The census authority shall—

- (a) add to the latest census figures, the census figures, as on the 1st day of March, 1951, of such of the castes or tribes, if any, as have been included by the modified Order in the list of Scheduled Castes or Scheduled Tribes in relation to the existing State concerned;
- (b) deduct from the latest census figures, the census figures, as on the 1st day of March, 1951, of such of the castes or tribes, if any, as have been excluded by the modified Order from the list of Scheduled Castes or Scheduled Tribes in relation to the existing State concerned.

(2) The figures as ascertained under sub-rule (1) shall be deemed to be the population of the Scheduled Castes or the Scheduled Tribes in the existing State, as on the 1st day of March, 1951.

5. (1) If the census figures to be added or deducted under sub-rule (1) of rule 4, of any Scheduled Caste or Scheduled Tribe have not been ascertained at the last census and are not readily available, the population of that caste or tribe as on the 1st day of March, 1951 shall be determined by either of the following modes, which appears convenient to the census authority:—

- (a) by examining the records of the last census and deducing therefrom the relevant figures; or
- (b) by taking into account the population figures of that caste or tribe as published in any previous census which is nearest in point of time to the last census and increasing or decreasing those figures by the proportion in which the general population of the State or the particular district or taluk in which that caste or tribe is, in the opinion of the census authority, concentrated, has increased or decreased between the previous census aforesaid and the last census.

(2) Notwithstanding anything contained in sub-rule (1), it shall not be necessary for the census authority to determine the population of any Scheduled Caste or Scheduled Tribe as on the 1st day of March, 1951, if the population of that caste or tribe was not determined at the last census or at any census held in 1911 or thereafter and is, in the opinion of the census authority, numerically small.

No. 18/18/56-Pub.II-(B).—In exercise of the powers conferred by section 129 of the States Reorganisation Act, 1956 (37 of 1956), and section 52 of the Bihar and West Bengal (Transfer of Territories) Act, 1956 (40 of 1956), the Central Government hereby makes the following rules, namely:—

1. These rules may be called the Reorganised States (Scheduled Castes and Scheduled Tribes) (Determination of population) Rules, 1956.

2. In these rules, unless the context otherwise requires—

- (a) "census authority" means the Deputy Registrar-General, India;
- (b) "former Order" means the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Part C States) Order, 1951, the Constitution (Scheduled Tribes) Order, 1950, or the Constitution (Scheduled Tribes) (Part C States) Order, 1951, as in force on the 31st day of August, 1956;
- (c) "last census" means the census held in 1951;
- (d) "latest census figures" means the census figures pertaining to the population of the Scheduled Castes or the Scheduled Tribes specified in the relevant former Order, in an existing State, as ascertained at the last census and corrected thereafter in accordance with law;
- (e) "modified Order" means the relevant former Order, as modified under section 41 of the States Reorganisation Act, 1956, and section 14 of the Bihar and West Bengal (Transfer of Territories) Act, 1956;
- (f) "reorganised State" means the territory which as from the 1st day of November, 1956 will be comprised in each of the States of Andhra Pradesh, Bihar, Bombay, Kerala, Madhya Pradesh, Madras, Mysore, Punjab, Rajasthan and West Bengal.

3. The population figures as at the last census of the Scheduled Castes or, as the case may be, of the Scheduled Tribes in each reorganised State shall be ascertained or estimated by the census authority in the manner hereinafter specified.

4. The census authority shall in the first instance compute the population figures of the Scheduled Castes or the Scheduled Tribes, as specified in the relevant former Order, in each of the portions of the reorganised State, which forms the whole or any part of an existing State, by taking into account, as the circumstances require, the latest census figures of—

- (i) the whole existing State, or
- (ii) the whole district, or
- (iii) the whole census tract.

Explanation.—Where a census tract in an existing State is split up into parts, which are transferred to two or more reorganised States, the population figures of the Scheduled Castes or the Scheduled Tribes in any part so transferred shall be

determined by either of the following modes which appears convenient to the census authority:—

- (a) by examining the records of the last census and deducing therefrom the relevant figures; or
- (b) by assuming that the population of such castes or tribes in the parts has been distributed in the proportion in which the general population has been distributed among those parts.

5. (1) The census authority shall then—

- (a) add to the total figures computed under rule 4 for a reorganised State, the census figures as on the 1st day of March, 1951, of such of the castes or tribes if any, as have been included by the modified Order in the list of Scheduled Castes or Scheduled Tribes in relation to that State;
- (b) deduct from the total figures computed under rule 4 for a reorganised State, the census figures as on the 1st day of March, 1951, of such of the castes or tribes if any, as have been excluded by the modified Order from the list of Scheduled Castes or Scheduled Tribes in relation to that State.

(2) The figures as ascertained under sub-rule (1) shall be deemed to be the population of the Scheduled Castes or the Scheduled Tribes in the reorganised State, as on the 1st day of March, 1951.

6. (1) If the census figures to be added or deducted under sub-rule (1) of rule 5, of any Scheduled Caste or Scheduled Tribe have not been ascertained at the last census and are not readily available, the population of that caste or tribe as on the 1st day of March, 1951 shall be determined by either of the following modes which appears convenient to the census authority:—

- (a) by examining the records of the last census and deducing therefrom the relevant figures; or
- (b) by taking into account the population figures of that caste or tribe as published in any previous census which is nearest in point of time to the last census and increasing or decreasing those figures by the proportion in which the general population of the State or the particular district or taluk in which that caste or tribe is, in the opinion of the census authority, concentrated, has increased or decreased between the previous census aforesaid and the last census.

Explanation.—If the area in respect of which the population figures of the Scheduled Caste or Scheduled Tribe were published in the previous census aforesaid was thereafter split up into parts, the population figures of that caste or tribe in that census in any part so split up shall be estimated on the assumption that the population of that caste or tribe in the area has been distributed among the parts in the proportion by which the general population in the area has been distributed among those parts.

(2) Notwithstanding anything contained in sub-rule (1), it shall not be necessary for the census authority to determine the population of any Scheduled Caste or Scheduled Tribe as on the 1st day of March, 1951, if the population of that caste or tribe was not determined at the last census or at any census held in 1911 or thereafter and is, in the opinion of the Census authority, numerically small.

S. NARAYANSWAMY, Dy. Secy.

